

## **Abstract**

**The title of the thesis:** Crime of murder and manslaughter under section 140, 141 of the criminal code

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This thesis focuses on the most serious crimes against human life, namely the crimes of murder and manslaughter under sections 140 and 141 of Act No. 40/2009 Coll., The Criminal Code. The aim of this work is to describe both of these crimes in detail, to explain the importance of punishing these crimes, to explain the reason for introducing the crime of manslaughter in our legal system, its significance, and how it differs from murder and makes it a privileged crime to the crime of murder. The purpose of this work is also, among other things, to describe the procedure of criminal investigators in the investigation of these crimes and the methodology of the investigation of intentional crimes against life.

In the first part of this thesis I deal with the historical development of the legal regulation of intentional killings in our territory, starting from ancient Rome and ending in 2009, when the current Criminal Code was issued. I focus on the most important legislation that has been issued throughout history and how it regulated intentional killings.

The second part copes with the crime of murder, which first outlines a general introduction to this crime, then I describe the nature of this crime, the division of murders into simple murder and premeditative murder, and the circumstances governing the application of a higher penalty.

In the third part I deal with the crime of manslaughter. This section also contains a description of the nature of this crime and its specificities, as well as the circumstances governing the application of a higher penalty. The second and third parts also contain selected case law.

In the fourth part, I focus on the imposition of punishments for the crime of murder or manslaughter, then on the principles of punishment, possible punishments that can be imposed, imprisonment and an exceptional punishment, which is a special type of imprisonment.

The last part of the thesis is focused on the forensic aspect of this issue, namely the methodology of investigating the crimes of murder and manslaughter. Part of this section is, among other things, a description of forensic methods and a case from investigative practice.

**Key words:** murder, manslaughter, crime, human life